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*certified by the Supreme Court of New Jersey
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August 7, 2009

Honorable Michael A. Shipp, U.S.M.J.
U.S. District Court
District of New Jersey
M.L. King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: *Tosado v. Borough of Spotswood et als.*
Civil Action No.: 05-5112 (DRD)

Dear Judge Shipp:

Please accept this letter in response to the Court's Order that counsel inform the Court of the outcome of the settlement discussion and advise whether a Settlement Conference should be scheduled.

The defendant CFG's response to the plaintiff's demand of \$750,000. is a counter-offer of \$35,000. Despite this fact, the parties are willing to appear for a Settlement Conference. It is respectfully requested that a conference not be scheduled prior to September as plaintiff's counsel will be on vacation for the last 2 weeks in August.

Thank you for the Court's assistance in this matter.

Respectfully submitted,

/s/ Maria D. Noto

MARIA D. NOTO, ESQ.

